

FEB 18 2015

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

RICHARD H HARTMAN, II

Case No. 1:14CV243

Plaintiff

v.

CHARTER COMMUNICATIONS, INC.
ET AL.

Defendant(s)

/

**PLAINTIFF'S MOTION TO COMPEL ARBITRATION WITH RESPECT TO
DEFENDANT CHARTER COMMUNICATIONS, INC.**

Plaintiff Richard H. Hartman hereby files this Motion to Compel Arbitration with
Respect to Defendant Charter Communications, Inc., and states as follows:

1. Plaintiff's claims against Charter Communication, Inc. are subject to private, binding arbitration before the American Arbitration Association ("AAA") pursuant to the Terms and Conditions of Services Agreement between the Plaintiff and Charter Communications, Inc., (the "Agreement").
2. The remaining defendants in this action are not parties to the Agreement, thus are not subject to the arbitration provision in the Agreement.
3. An Order compelling Charter Communications, Inc. to participate in arbitration before AAA is appropriate, as the arbitration provision is valid

and enforceable and Plaintiff's claims against Charter Communications, Inc. falls squarely within the scope of the arbitration provision.

4. All conditions precedent to seeking arbitration with respect to this dispute have been completed.
5. A brief in support of this Motion is being filed contemporaneously with this Motion.

Wherefore, the Plaintiff, Richard H. Hartman, II respectfully requests the Court to grant this Motion to Compel Arbitration with Respect to Defendant Charter Communications, Inc., keep this lawsuit active with respect to the remaining Defendants, and for such other or further relief that the Court deems appropriate under the circumstances.

Dated February 12, 2015

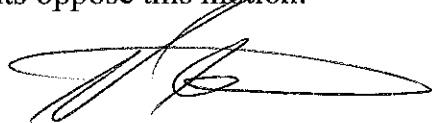
Respectfully Submitted,



Richard H. Hartman, II, Plaintiff
185A Weston Road
Arden, NC 28704
Email: rick@rickhartman.com
Telephone: 813-486-8287

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that I conferred with counsel for Defendants regarding this motion via email and did not receive Defendant's consent prior to the filing of the motion, thus it is presumed that Defendants oppose this motion.



Richard H. Hartman, II

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been filed with the Court via United States Mail on February 12, 2015. The Court's CM/ECF system will provide notification of such filing to Defendant c/o Samuel H. Poole, Jr., Cranfill, Sumner & Hartzog, LLP., Post Office Box 30787, Charlotte, NC 28230, email: shp@cshlaw.com.



Richard H. Hartman, II